

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KYLE A. ARNOLD

Plaintiff

v.

G.E.O. GEORGE W. HILL

CORRECTIONS, *et al.*,

Defendants

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CIVIL ACTION NO. 19-CV-5407

ORDER

AND NOW, this 1st day of July 2020, upon consideration of Plaintiff Kyle A. Arnold's *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. Arnold's claims against SCI-Phoenix and his claims based on lost or destroyed personal property and for violation of Article I Section 14 of the Pennsylvania Constitution are **DISMISSED, WITH PREJUDICE**.

2. All other claims in the Complaint, with the exception of the excessive force claim against Defendant Sgt. Bower, are **DISMISSED, WITHOUT PREJUDICE**, for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons set forth in the accompanying Memorandum.

3. Arnold may file an amended complaint within thirty (30) days of the date of this Order. Any amended complaint must identify all defendants in the caption of the amended complaint in addition to identifying them in the body of the amended complaint and shall state the basis for Arnold's claims against each defendant. The amended complaint must also provide as much identifying information for the defendants as possible. Arnold may refer to a defendant by last name only if that is the only identifying information possessed. If Arnold wishes to name individuals for whom he does not have any identifying information, he may refer to those

individuals as John Doe #1, John Doe #2, etc.¹ The amended complaint shall be a complete document that does not rely on the initial Complaint or other papers filed in this case to state a claim. When drafting his amended complaint, Arnold should be mindful of the Court's reasons for dismissing the claims in his initial Complaint as explained in the Court's Memorandum. Upon the filing of an amended complaint, the Clerk shall not make service until so **ORDERED** by the Court.

4. The Clerk of Court is **DIRECTED** to send Arnold a blank copy of the Court's form complaint for a prisoner filing a civil rights action bearing the above civil action number. Arnold may use this form to file his amended complaint if she chooses to do so.

5. If Arnold does not wish to amend his Complaint and instead intends to stand on his Complaint as originally pled, his Complaint will be served on Defendant Sgt. Bower *only*.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro

NITZA I. QUIÑONES ALEJANDRO

Judge, United States District Court

¹ Without the name of at least one individual or entity, however, the Court may be unable to direct service of any amended complaint that Arnold may file.